

Docket No. 205109US-20 DIV

IN RE APPLICATION OF: Paul M. ENQUIST

SERIAL NO: 09/822,335

FILED: April 2, 2001

FOR: WAFER BONDING INTEGRATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



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SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☒ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Marked-Up Copy, Request for Extension of Time (1 month)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	37	MINUS	20	17	× \$18 =	\$306.00	
INDEPENDENT	2	MINUS	3	0	× \$84 =	\$0.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$306.00
		<input checked="" type="checkbox"/> Reduction by 50% for filing by Small Entity					\$-153.00
		<input type="checkbox"/> Recordation of Assignment				+ \$40 =	\$0.00
		TOTAL					\$153.00

- ☒ A check in the amount of **\$208.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.



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205109US-20 DIV



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

Paul M. ENQUIST : GAU: 2814

SERIAL NO: 09/822,335 :

FILED: April 4, 2001 : EXAMINER: N.NGO
FOR: WAFER BONDING INTEGRATION

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RESTRICTION RESPONSE AND PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the restriction requirement of January 17, 2002, Applicants elect, with traverse, the species corresponding to Group II. Claims 40-47 and 49-76 read on this species.

The proper criteria for restriction between distinct inventions is provided in MPEP §803. The two criterion are (1) the inventions must be independent or distinct as claimed and (2) there must be a *serious* burden on the examiner if restriction is not required. Regarding the second criterion, if the search and examination of an entire application can be made without a serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions (MPEP §803 (emphasis ours)).

The Office Action also has not addressed the issue of whether there is a serious search burden. The election cannot be maintained unless there is a serious burden. It has not been alleged that searching the species is any burden, let alone a serious burden, and there is no allegation or any proof of separate classification, separate status in the art, or different fields of search (MPEP §808.02). Moreover, using electronic searching, a search may be made of a large number of, or possibly all, classes and subclasses without any additional effort. Again,